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BOOK

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Big Brother and The Electric Bugs

THE AMERICAN POLICE STATE: *The Government Against the People.* By David Wise. Random House. 437 pp. \$12.95

By ANTHONY MARRO

ANYONE WHO still thinks that Watergate or something very much like it wasn't bound to happen eventually would do well to look back to the day in July 1971, when Robert Mardian, who was then an assistant attorney general, and John Dean, who was then counsel to the President, hopped a military jet to the West Coast. Both men were making hurried, last-minute trips, and both had pressing business to attend to.

Mardian, we now know, was flying to San Clemente to ask what to do with a suitcase filled with unjustified and probably illegal wiretaps—the product of White House-ordered surveillance on Kissinger aide Morton Halperin, Nixon speechwriter William Safire, and 15 others—that an FBI official had dumped in his lap. Dean, we now know, was on his way to San Clemente to try to head off what John Caulfield had said was an order from a presidential aide to fire-bomb the Brookings Institution, and then steal documents during the commotion that would ensue.

It was a minor event in the scheme of things; the author, in fact, relegates it to a footnote. But it nonetheless is an important one, both because it shows

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the mind-set of the Nixon White House a full year before Watergate, and because what should stand out as an example of executive lawlessness has become almost lost in the long, sorry checklist of buggings, break-ins, wiretaps, mail openings, surveillances, tax audits, harassments and crimes that were inflicted upon us in the name of national security. "Somehow," writes David Wise, "the vignette symbolized the Nixon era."

For a number of years now, Wise has been among the leading chroniclers in this country of all the things our government has been doing that we weren't told about in the civics courses we took back in high school. He has detailed our massive spying abroad (*The Invisible Government*—1964), our pervasive and needless lying at home (*The Politics of Lying*—1974), and now in *The American Police State*, the lengths to which recent administrations have gone to suppress dissent, punish enemies, and use the police powers of the federal government to harass their critics.

If you think you've heard this before, you're right. Wise drew heavily from the reports and files of the Watergate and Impeachment inquiries, and also from the House and Senate intelligence probes. Much of the material is familiar, even shopworn, and there is little in this 437-page book that is likely to surprise or shock a nation already numbed by four years of disclosures.

But this is no mere recycling of the familiar. What Wise has done, with considerable skill, is to show in personal and human terms the impact of this lawlessness by our chosen leaders, to point out the utter worthlessness of much of the spying, and to detail the casual—almost mindless—manner

with which much of it was ordered and carried out.

He takes us up the telephone pole in Georgetown, where an ex-FBI agent named John J. Ragan was "raking" the bolts in the terminal box, looking for the ones that connected to columnist Joseph Kraft's home. He takes us into the Old Post Office Building in downtown Washington, where young FBI agents sat with their tape recorders and earphones, waiting for the red light to flash that would signal that someone was using the Halperins' telephone. And he takes us into the house at 1747 Lanier Place, N.W., where Leslie Bacon, who the FBI thought had information about the 1971 bombing of the Capitol, came groggily out of an

Recordings

H1

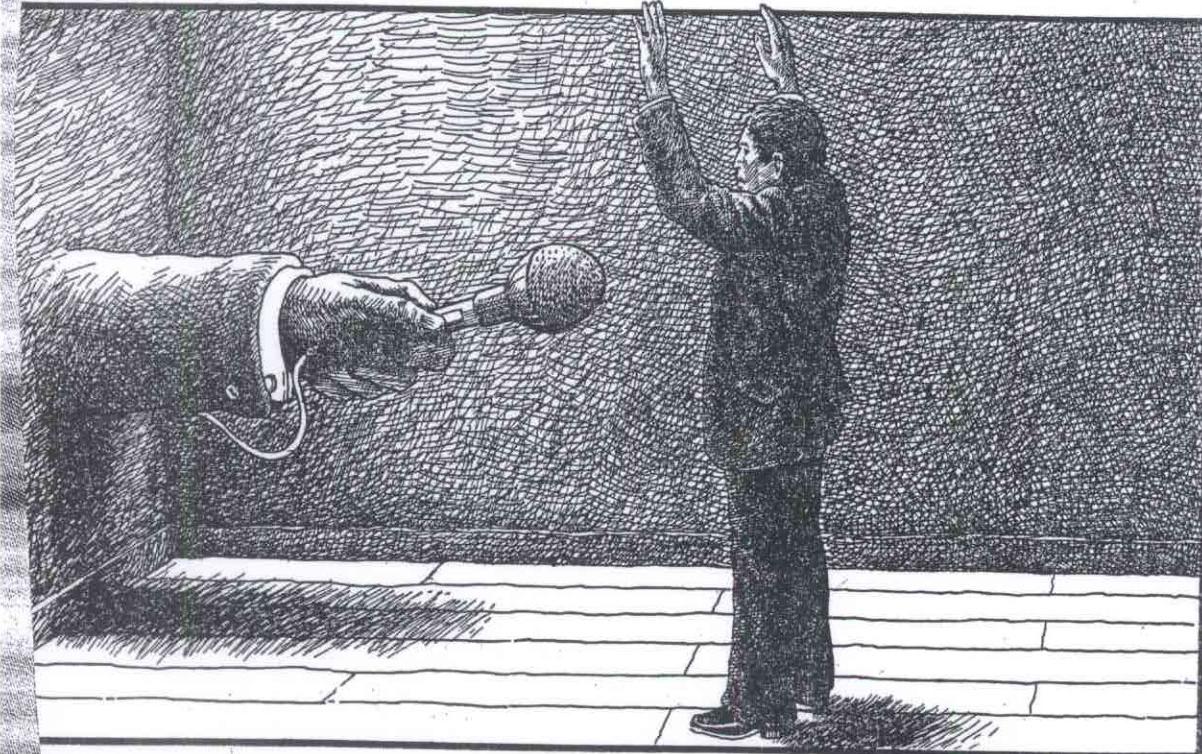


Illustration by Jean-François Alix for The Washington Post

acid trip to find a dozen agents standing by her bed. "They pulled the covers off my bed, so there I am completely naked with twelve FBI agents," she told him. "I was still tripping, your mind is really vulnerable then and I didn't know what to do."

She was arrested as a witness in the bombing case despite a strong warning from a top FBI official that the informant who named her had been unreliable in the past. She was indicted at the personal order of John Mitchell, over the protest of the U.S. Attorney in Manhattan. She was jailed for contempt of court, indicted for conspiring to commit arson, indicted for perjury, and confined for almost two months — yet she was never tried or found guilty.

of anything, and an appeals court ruled that the government had broken the law by arresting her in the first place. "The full lawless power of the federal government," he writes, "had been brought to bear against a nineteen-year-old girl who in the end was convicted of nothing."

So effective is Wise that by the time he has finished it is almost impossible to feel even a twinge of sympathy or concern for the Mitchells, Mardians, Ehrlichmans and Nixons and others who launched these activities—and who in the process so debased the term "national security" that it has become almost synonymous with criminality and coverup.

Wise, however, is remarkably even-

handed and dispassionate in all this. He does not indulge himself in trashing the spear-carriers, and it is only when he gets to the people who he thinks should have known better that his outrage shows through. So where John Ragan, who tapped Joseph Kraft's phone for the White House, is pictured simply as a "professional who did not question the values of his profession," Henry Kissinger is depicted as a man who "fled a totalitarian system to enjoy the protections of constitutional democracy," and then had a hand in the wire tapping of people who thought they were his friends.

Wise assigns Kissinger a much

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Big Brother

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deeper and darker role in the placing of the 17 "national security" wiretaps than Kissinger himself has admitted to. "The overwhelming burden of the evidence," he writes, is that Kissinger deliberately tried to minimize his own role in the wiretaps in order to mislead and deceive the Congress, the public and the press. And this is particularly annoying to Wise, because when a reporter later engaged in the relatively harmless (if foolish) exercise of plowing through the Kissinger garbage, a State Department spokesman proclaimed the secretary of state "revolted" by the episode, and said that his wife had suffered "grave anguish" because of it.

There are some who are likely to find fault with the book's title, and Wise himself feels the need to explain it. "Naturally, by Nazi or Soviet standards, America is not a police state," he writes. "But the dictionary definition does not require the extremes of a Gestapo or a KGB; it defines a police state as 'a government that seeks to intimidate and suppress political opposition by means of police, especially a secret national police organization.' The FBI and the CIA have done precisely that."

He is not totally convincing in this,

and despite the documentation of massive illegal (or at least stupid and unwarranted) activities by those two agencies, an argument can be made there was never a widespread climate of fear in this country; if anything, opposition to government policies grew at the time when government lawlessness was at its peak. But we probably were at least approaching a police state mentality in the White House when John Ehrlichman demanded an IRS audit of Democratic chieftain Larry O'Brien because, as he later admitted, "I wanted them to turn up something and send him to jail before the election."

This wasn't just a product of the Nixon years. Bobby Kennedy approved the wiretaps (if not the hotel room bugs) of Martin Luther King, and Lyndon Johnson set in motion the domestic CIA spying that Nixon later escalated into Operation CHAOS. And William Sullivan, an intelligent and pleasant man who was responsible for the start of the FBI's COINTELPRO activities, told the Church Committee that during his 30 years in the bureau, during which he rose to the No. 3 spot, "Never once did I hear anybody, including myself, raise the question: 'Is this course of action which we have agreed upon lawful, is it legal, is it ethical or moral?'"

But Nixon and his men greatly expanded and refined the mechanisms by which the government could harass, intimidate and spy upon its citi-

zens, and this was often as stupid as it was outrageous because, as Wise makes clear, so much of it was wasteful and unproductive in the end. The tap on Kraft's phone turned up nothing. Neither did the 17 "national security" wiretaps. The 30 years of FBI surveillance against the Socialist Workers Party turned up no evidence of any crimes, and no evidence that this small, harmless group of Trotskyites had been a threat to anyone. It was, as Wise says of the 17 wiretaps, "all so futile...so ultimately worthless."

If there is a fault with Wise's book, it is that he relies so heavily on the work of congressional committees that he lets them set much of the focus, with the result that the book has some of the same blind-spots as did the investigations. Like the Church Committee, for example, he examines at great length the illegal bugs and taps against political dissenters, but ignores the fact that the FBI has been doing this same sort of thing for years against people suspected of ties to organized crime.

Like the Church Committee, to take another example, he concentrates so heavily on the FBI and CIA, that other organizations such as IRS (which has long been used as a sort of blunt instrument of federal law enforcement) and the federal drug agencies (which used to keep half the carpenters in New York employed nailing back doors they had busted in) are merely

given the once-over. But Wise has made his case without getting into these areas, and this is more a personal quibble than a serious complaint.

In 1971, a team of reporters from Newsday was in Key Biscayne, working on a series of stories about Nixon's friend, Charles (Bebe) Rebozo. According to Wise, there is executive session testimony in the Watergate Committee files in which Caulfield claims a "vague recollection" of Dean having said "that the Secret Service was taking a look at the newspaper reporter team that was in Key Biscayne putting together this story."

I was working on that Newsday team, and remember the clean-cut young men who occasionally seemed

to be following us about the hotel—sitting within hearing range in the otherwise empty bar, at one point coming to my hotel room to look for "a package." We knew they were Secret Service agents because hotel employees knew them as members of the Nixon entourage, and told us their names. We never proved they were spying on us and—in fact—never gave it much thought. And one day when one of them followed us into the elevator, Gerri Shanahan, another member of the team, turned to him and said: "Are you Secret Service?" He stared straight ahead, kept a straight face and replied: "It's a secret."

At the time, we thought it was funny. □